

10/594960

APPLICATION NUMBER: UNASSIGNED

ATTORNEY DOCKET: 58767.000016

IAP2 Rec'd PCT/PTO 29 SEP 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
**PIGNOL et al.** ) Group Art Unit: **Unassigned**  
)  
Application Number: **Unassigned** ) Examiner: **Unassigned**  
)  
Filed: **September 29, 2006** )  
)  
For: **USE OF A PHENOTHIAZINE DERIVATIVE FOR PREVENTING AND/OR TREATING HEARING LOSS**

**INFORMATION DISCLOSURE STATEMENT**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants are submitting herewith copies of the references listed on the attached Form PTO/SB/08A for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

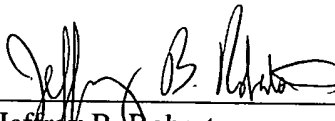
Applicants' submission of the Information Disclosure Statement shall not be construed as an admission that the cited references are prior art to the present invention, or that the cited references qualify as printed publications. The submission of this IDS also shall not be construed as a representation that a prior art search has been performed.

In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action and within three months of the filing date of the application. Therefore, it is respectfully submitted that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Dated: September 29, 2006

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PTO/SB/08B (08/03) (modified)  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO		Application Number	Unassigned
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Filing Date	September 29, 2006
		First Named Inventor	PIGNOL et al.
		Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet	1 of 1	Attorney Docket Number	58767.000018

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-			

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code Number-Kind Code (if known)					YES	NO
	2.	WO	01/32654	10 May 2001	AUVIN et al.			
	3.	WO	02/40016	23 May 2002	CHABRIER de LASSAUNIERE et al.			
	4.	WO	2005//056551	23 June 2005	AUVIN et al.			

## OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	5.	TAKUMIDA, Masaya et al.: "Neuroprotection of vestibular sensory cells from gentamicin ototoxicity obtained using nitric oxide synthase inhibitors, reactive oxygen species scavengers, brain-derived neurotrophic factors and calpain inhibitors." ACTA OTO-LARYNGOLOGICA. Jan 2003, vol. 123, no. 1, pp. 8-13 - XP008038195	<input type="checkbox"/>	<input type="checkbox"/>
	6.	WANG, Jing et al.: "Leupeptin protects sensory hair cells from acoustic trauma." NEUROREPORT, vol. 10, no. 4, 17 March 1999, pp. 811-816, XP008038205	<input type="checkbox"/>	<input type="checkbox"/>
	7.	FRANZE, Annamaria et al.: "Effect over time of allopurinol on noise-induced hearing loss in guinea pigs." INTERNATIONAL JOURNAL OF AUDIOLOGY, vol. 42, no. 4, June 2003, pp. 227-234, XP008038194	<input type="checkbox"/>	<input type="checkbox"/>
	8.	SEIDMAN, M.D.: "Effects of dietary restriction and antioxidants on presbycusis." LARYNGOSCOPE 2000 UNITED STATES, vol. 110, no. 5 I, 2000, pp. 727-738, XP008038200	<input type="checkbox"/>	<input type="checkbox"/>
	9.	PIGNOL, B. (Reprint) et al.: "Doxorubicin (Doxo) induced muscle wasting of mice. Protective effect of BN82270, a hybrid molecule with dual activity (alpain inhibitor and antioxidant) on cachexia." NEUROMUSCULAR DISORDERS, Sept. 2004, vol. 14, no. 8-9, p. 611, XP002337502	<input type="checkbox"/>	<input type="checkbox"/>
	10.	AUVIN, Serge et al.: "Novel dual inhibitors of calpain and lipid peroxidation." BIOORGANIC & MEDICINAL CHEMISTRY LETTERS, vol. 14, no. 14, 16 July 2004, pp. 3825-3828, XP002304686	<input type="checkbox"/>	<input type="checkbox"/>
	11.	YAMASHITA, D. et al.: "Delayed production of free radicals following noise exposure." BRAIN RESEARCH 03 September 2004, Netherlands, vol. 1019, no. 1-2, pp. 201-209, XP0080038192	<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.